UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,381	07/25/2003	Kenneth Willian	128534-06201 (07028797)	3909

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MAYER BROWN LLP
P.O. BOX 2828
CHICAGO, IL 60690

EXAMINER
JOO, JOSHUA

ART UNIT	PAPER NUMBER
2154	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/627,381	WILLIAN ET AL.
	Examiner	Art Unit	
	JOSHUA JOO	2154	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 December 2007</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 July 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Detailed Action

1.   This Office action is in response to communication dated 12/26/2007.

Claims 1-20 are presented for examination.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of

the new ground(s) of rejection. New ground(s) of rejection are necessitated by Applicant's amendment.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-5, 12-15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crook,

US Publication #2003/0177203 (Crook hereinafter), in view of Ladd et al. US Publication #2004/0024897

(Ladd hereinafter).

5.   As per claim 1, Crook teaches the invention as claimed including a method for converting a

plurality of deliverables to a plurality of formats suitable for presentation, each deliverable including an

associated content item and a corresponding associated format to which to convert the associated content

item, the method comprising:

preparing the associated content items for conversion based on the corresponding associated

formats (Paragraphs 0020-0021; 0025. Deliver document for conversion, which comprises information

content associated with format codes including special codes. "preparing" considered as a process of

creating, retrieving, or extracting content for HTML conversion. Paragraph 0023. Determine, i.e.

"preparing", HTML code for formatting code.);

converting the associated content items, "the device" converts the associated content item to the

corresponding associated format (Paragraph 0022. Translate formatting codes into HTML codes.

Paragraph 0024. Generate links for special codes.);

compiling the converted deliverables for distribution over a plurality of delivery channels

(Paragraph 0025. Translation results in HTML document. HTML document would comprise "compiled"

HTML codes.); and

posting the content to the delivery channels; and delivering the content to a plurality of

presentation devices (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over

network. Paragraph 0057. Deliver documents to students.).

6.   Crook teaches of converting associated content items to corresponding associated formats but

does not specifically teach of converting using a plurality of parallel processing threads, each thread

corresponding to an associated deliverable, whereby each thread converts the associated content item to

the corresponding associated format by using a plurality of parallel processing threads.

7.   Ladd teaches a system for transforming input data in a first format to output data in a second

format, wherein a plurality of threads execute in parallel to format the input data to produce

corresponding output format (fig. 1; Paragraph 0013).

8.   It would have been obvious to one of ordinary in the art at the time the invention was made to

combine the teachings convert the associated content items to a corresponding associated formats as

taught by Crook by using a plurality of parallel processing threads, wherein each thread converts data in a

first format to a corresponding second format as taught by Ladd. The motivation for the suggested

combination is that Ladd's teachings of a plurality of parallel processing threads would improve the

performance of Crook's system by allowing simultaneous execution of processes and allowing scalability

of the system (Paragraph 0020).

9.   As per claim 12, Crook teaches the invention as claimed including a method for conversion of

content items into a plurality of formats suitable for presentation, the method comprising:

providing a user interface that enables a user to enter a request for converting a plurality of

deliverables to the formats suitable for presentation, each deliverable including an associated content item

and a corresponding associated format to which to convert the associated content item (Paragraph 0020.

Instructor delivers document for conversion. Paragraph 0021. Document comprises information content

and format codes for conversion to HTML codes.);

preparing the associated content items for conversion based on the corresponding associated

formats (Paragraphs 0020-0021; 0025. Deliver document for conversion, which comprises information

content and format codes including special codes. "preparing" considered as a process of creating,

retrieving, or extracting content for conversion. Paragraph 0023. Determine, i.e. "preparing", HTML

code for formatting code.);

converting the associated content items, whereby "a device" converts the associated content item

to the corresponding associated format (Paragraph 0022. Translate formatting codes into HTML codes.

Paragraph 0024. Generate links for special codes.);

compiling the converted deliverables for distribution over a plurality of delivery channels

(Paragraph 0025. Translation results in HTML document. HTML document would comprise "compiled"

HTML codes.); and

posting the content to the delivery channels; and delivering the content to a plurality of

presentation devices (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over

network. Paragraph 0057. Deliver documents to students.).

10.   Crook teaches of converting associated content items to corresponding associated formats but does not specifically teach of converting using a plurality of parallel processing threads, each thread corresponding to an associated deliverable, whereby each thread converts the associated content item to the corresponding associated format by using a plurality of parallel processing threads.

11.   Ladd teaches a system for transforming input data in a first format to output data in a second format, wherein a plurality of threads execute in parallel to format the input data to produce corresponding output format (fig. 1; Paragraph 0013).

12.   It would have been obvious to one of ordinary in the art at the time the invention was made to combine the teachings convert the associated content items to a corresponding associated formats as taught by Crook by using a plurality of parallel processing threads, wherein each thread converts data in a first format to a corresponding second format as taught by Ladd. The motivation for the suggested combination is that Ladd's teachings of a plurality of parallel processing threads would improve the performance of Crook's system by allowing simultaneous execution of processes and allowing scalability of the system (Paragraph 0020).

13.   As per claims 2 and 13, Crook teaches the invention, wherein preparing the associated content items for conversion comprises retrieving the associated content items from a database (Paragraph 0020. Transfer documents. Paragraph 0021. Convert document comprising formatting codes. It is inherent that the document is retrieved for conversion.).

14.   As per claims 3 and 14, Crook teaches the invention, wherein preparing the associated content items for conversion comprises customizing the associated content items (Paragraph 0063. Select design for the material. Paragraphs 0021; 0025. Prepare document comprising formatting codes including special codes.).

15.   As per claims 4 and 15, Crook teaches the invention, wherein customizing the associated content items comprises embedding within the associated content items objects related to the presentation (Paragraph 0022. Formatting codes. Paragraph 0024. Include special codes for designating link and URL.) and distribution of the associated content items (Paragraph 0021. Information content.).

16.   As per claim 5, Crook teaches the method 1, wherein converting the associated content items comprises: parsing the associated content items to identify content to be presented; converting the parsed content to a page description language; and converting the page description language to the format suitable for presentation (Paragraph 0021-0024. Identify informational content and formatting codes. Convert formatting codes into HTML codes. Parsing is inherent to identify individual formatting codes.)

17.   As per claim 18, Crook teaches the method of claim 12, further comprising presenting the converted deliverables at a presentation client (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over network. Paragraph 0057. Deliver documents to students.).

18.   Claims 6, 8-9, 11, 16-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crook and Ladd, in view of Stuppy, US Publication #2007/0184423 (Stuppy hereinafter).

19.   As per claims 6 and 16, Crook teaches the invention, further comprising receiving a request to convert the plurality of deliverables to the plurality of formats suitable for presentation (Paragraphs 0020-0022. Convert document comprising of information content and format codes to HTML codes. Request is inherent to initiate conversion.) and transmitting the converted deliverables (fig. 6. #230 Students. Page 5, claim 6. Paragraph 0057.). Crook does not specifically teach the request including a selected delivery channel over which to distribute the converted deliverables.

20.   Stuppy teaches a system for network based education, wherein an instructor may select a communication channel to communicate with student stations (claim 1; paragraph 0016) and transmit converted data (text to audio) to student stations (Paragraph 0054).

21.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the request to include a selected delivery channel to distribute converted content as taught Stuppy. The motivation for the suggested combination is that Stuppy's teachings would improve Crook's system by enabling an instructor to interactively communicate with students individually to provide assistance on an individual basis.

22.   As per claims 8 and 17, Crook teaches of distributing the converted deliverables but does not specifically over the selected delivery channel.

23.   Stuppy teaches a system for network based education, wherein an instructor may select a communication channel to communicate with student stations (claim 1; paragraph 0016) and transmit converted data (text to audio) to student stations (Paragraph 0054).

24.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to distribute the converted deliverables over the selected delivery channel. The motivation for the suggested combination is that Stuppy's teachings would improve Crook's system by enabling an instructor to interactively communicate with students individually to provide assistance on an individual basis.

25.   As per claim 9, Crook, Ladd, and Stuppy taught the method of claim 8. Crook further teaches the invention, further comprising presenting the converted deliverables at a presentation client (fig. 6. #230 Students. Page 5, claim 6. Deliver test to one or more person over network. Paragraph 0057. Deliver documents to students.).

26.   As per claims 11 and 20, Crook does not specifically teach the invention, wherein presenting the

deliverables at the presentation client comprises presenting an audible version of the deliverables at the

presentation client.

27.   Stuppy teaches a system for network based education, wherein the system may transmit an

audible version of content to student stations (Paragraph 0054).

28.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings to present an audible version of content at the student station(s) as taught by

Stuppy. The motivation for the suggested combination is that Stuppy's teachings would improve Crook's

system by maintaining continuity between sessions as suggested by Stuppy and allowing online testing

with people with disabilities as suggested by Banerjee et al (US Publication #2002/0155419).

29.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over , Crook, Ladd, and Stuppy,

in view of Huetsch et al, US Publication #2002/0049842 (Huetsch hereinafter).

30.   As per claim 7, Crook does not specifically teach the method of claim 6, further comprising

logging the request in a request history.

31.   Huetsch teaches of maintaining a client request history (Paragraph 0037).

32.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings to maintain a client request history, which would allow efficient processing of

user requests through caching content and routing requests to an appropriate process.

33.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crook, Ladd, and Stuppy,

in view of Gillford et al, US Publication #2003/0123622 (Gifford hereinafter).

34.   As per claim 10, Crook does not specifically teach the method of claim 9, wherein presenting the

deliverables at a presentation client comprises presenting a printed version of the deliverables at the

presentation client.

35.   Gifford teaches of receiving content, where the content may be converted to a printed version

such as FAX messages (Paragraph 0156).

36.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings to convert data into printed version, which would enhance Crook's system by

allowing students to receive content in an additional different format to assist the student(s)'s education.

37.   Claim 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crook and Ladd, in

view of Gillford.

38.   As per claim 19, Crook does not specifically teach the method of claim 18, wherein presenting

the deliverables at a presentation client comprises presenting a printed version of the deliverables at the

presentation client.

39.   Gifford teaches of receiving content, where the content may be converted to a printed version

such as FAX messages (Paragraph 0156).

40.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings to convert data into printed version, which would enhance Crook's system by

allowing students to receive content in an additional different format to assist the student(s)'s education.

Conclusion

41.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office

action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

42.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing

date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the date of this final action.

43.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be

reached on Monday to Friday 7 to 4.

44.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

45.   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/J. J./
Examiner, Art Unit 2154